



S/N 09/862,491

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DOBBEK	Examiner:	Lao, S.
Serial No.:	09/862,491	Group Art Unit:	2126
Filed:	May 22, 2001	Docket No.:	SJO910060022US2 (IBMS.021USC1)
Title:	APPARATUS AND METHOD FOR DOWNLOADING DATA TO ELECTRONIC DEVICE		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this communication is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 28, 2004.

By: Kathleen McDevitt
Kathleen McDevitt

**COMBINED DECLARATION AND TERMINAL DISCLAIMER
UNDER 37 C.F.R. §§ 1.130 and 1.321(c)**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, International Business Machines Corporation, a corporation having its primary place of business in Armonk, NY, is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/862,491, filed on May 22, 2001, and entitled APPARATUS AND METHOD FOR DOWNLOADING DATA TO ELECTRONIC DEVICE, which is a continuation of issued Patent No. 6,308,325 B1.

Petitioner, International Business Machines Corporation, hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application which would extend beyond the expiration date of commonly-owned U.S. Patent No. 6,308,325 B1, as presently shortened by any terminal disclaimer, and any patent so granted on the instant application shall be enforceable only for and during such period that the instant application and


the above listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

The undersigned is empowered to execute this Terminal Disclaimer on behalf of the Assignee, International Business Machines Corporation. Please charge Deposit Account No. 50-0996 (IBMS.021USC1) for the requisite fee of \$110 for the filing of this Terminal Disclaimer. If necessary, authority is given to charge additional fees to complete this filing.

Respectfully submitted,

Crawford Maunu PLLC
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St. Paul, MN 55120
651/686-6633

Dated: April 28, 2004

By: 
David W. Lynch
Reg. No. 36,204

For: IBM Corporation